

REMARKS

Favorable reconsideration of this application in light of the following remarks is respectfully requested.

Claims 1-20 are pending within this application. No claims have been canceled, amended or newly added herein. No claims have been allowed.

Claim Rejections — 35 U.S.C. § 103

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Marcoux et al. (U.S. Patent No. 6,414,585; hereinafter "Marcoux") in view of Gardner (U.S. Patent No. 6,452,247).

Applicant respectfully disagrees with the Examiner's reading of Marcoux insofar as the Examiner asserts that Marcoux at Figs. 23A/23B discloses Marcoux spirally patterned conductor layer 2355 being spirally topographically tapered in a vortex shape (in accord with applicant's invention as disclosed and claimed within claims 1, 6, 11 and 16).

Rather applicant notes that Marcoux inner post 2360 and Marcoux outer post 2370 are the two structures within Marcoux micro fabrication that provide for topography of Marcoux patterned conductor layer 2355. Since in particular in plan view Fig. 23B Marcoux inner post 2360 and Marcoux outer post 2370 are illustrated as discretely separated posts that do not define an enclosed topographically tapered valley between them, Marcoux patterned conductor layer 2355 is formed primarily planar upon Marcoux insulating layer 2330 with only lead ends thereof rising upon Marcoux inner post 2360 and Marcoux outer post 2370. Thus, Marcoux patterned conductor layer 2355 is not formed as spirally topographically tapered in a vortex shape, as is required in applicant's invention as disclosed and claimed within claims 1, 6,

11 and 16. Applicant further asserts that Gardner also does not disclose this feature of applicant's claimed invention.

Thus, since each and every limitation within applicant's invention as disclosed and claimed within claims 1, 6, 11, and 16 is not disclosed within Marcoux, Gardner or the combination thereof, in particular with respect to a spirally patterned conductor layer being spirally topographically tapered in a vortex shape, applicant asserts that claims 1, 6, 11 and 16 may not properly be rejected under 35 U.S.C. § 103(a) as being unpatentable over Marcoux in view of Gardner.

Since all remaining claims within this rejection are dependent upon claims 1, 6, 11 and 16 and carry all of the limitations of claims 1, 6, 11 and 16, applicant additionally asserts that those remaining claims may also not properly be rejected under 35 U.S.C. § 103(a) as being unpatentable over Marcoux in view of Gardner.

In light of the foregoing response, applicant respectfully requests that the Examiner's rejections of claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Marcoux in view of Gardner be withdrawn.

Other Considerations

Applicant acknowledges the additional prior art of record cited but not employed in rejecting applicant's claims to applicant's invention, in particular Knutson et al. (U.S. Patent No. 4,035,695), as generally pertinent to applicant's invention.

No fee is due as a result of this response.

SUMMARY

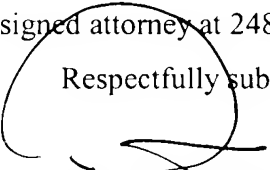
Applicant's invention as disclosed and claimed within claims 1, 6, 11 and 16 is directed towards a micro fabrication comprising a spirally patterned conductor layer being formed spirally topographically tapered in a vortex shape. Absent from the prior art of record employed in rejecting applicant's claims to applicant's invention is a disclosure of each and every limitation within applicant's invention as disclosed and claimed within claims 1, 6, 11 and 16.

CONCLUSION

On the basis of the above amendments and remarks, reconsideration of this application, and its early allowance, are respectfully requested.

Any inquiries relating to this or earlier communications pertaining to this application may be directed to the undersigned attorney at 248-540-4040.

Respectfully submitted,


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